

August 2, 2005

**Via Electronic Filing**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554


Re: *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33; Universal Service Obligations of Broadband Providers, CC Docket No. 95-20; Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements, CC Docket No. 98-10.*

Dear Ms. Dortch:

On August 1, 2005 Scott Blake Harris on behalf of Yahoo! spoke separately with Michelle Carey, Senior Legal Adviser to Commissioner Martin, Russ Hanser, Legal Adviser to Commissioner Abernathy, Jessica Rosenworcel, Legal Adviser to Commissioner Copps, and Scott Bergman, Legal Adviser to Commissioner Adelstein regarding the above referenced proceedings. He told each of them that Yahoo! believes that if the Commission decides DSL broadband transmission is an information service it should also use its Title I authority to impose net neutrality obligations on DSL network operators. Further, the Supreme Court in its Brand X opinion made clear that the Commission has authority under Title I to impose such obligations, and that this was particularly true in light of the precedent of the Computer decisions.

In accordance with the Commission's rules, I am filing this letter electronically in the dockets identified above.

Sincerely,



John T. Nakahata  
Counsel for Yahoo!